

Honorable Theresa L. Fricke

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

| | | |
|--|---|----------------------------|
| 3 rd AVE SW LLC and JHA FAMILY LLC, |) | |
| |) | |
| Plaintiffs, |) | No. 24-cv-00552 TLF |
| |) | |
| v. |) | DEFENDANT JIMENEZ’S ANSWER |
| |) | TO PLAINTIFFS’ COMPLAINT |
| RYAN JIMENEZ, ODIN PROPERTY TAX |) | |
| ADVOCATES LLC, a Colorado limited liability |) | JURY DEMAND |
| company, and KING COUNTY, a political |) | |
| subdivision, |) | |
| |) | |
| Defendants. |) | |
| |) | |

ANSWER

I. INTRODUCTION

Plaintiffs’ “Introduction” does not contain factual allegations that require an answer.

Therefore, all statements directed at Defendant Jimenez are denied.

II. PARTIES

1. To the best of my knowledge, admit.
2. To the best of my knowledge, admit.
3. The allegations in this paragraph are not directed at Defendant Jimenez. They are therefore denied.
4. To the best of my knowledge, admit.

DEFENDANT JIMENEZ’S ANSWER
TO PLAINTIFFS’ COMPLAINT - 1

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1 5. I admit the allegations in the first sentence of paragraph 5. I deny the allegations
2 in the second sentence.

3 6. I deny the allegations in the first sentence of paragraph 6. I admit the allegations
4 in the second sentence.

5 7. Admit.

6 8. I admit the allegations in the first sentence of paragraph 8, and that prior to being
7 hired by King County I had not worked as an appraiser before. I deny the remainder of the
8 allegations in paragraph 8.

9 9. I deny the allegations in paragraph 9.

10 10. I admit that I have been an accredited appraiser since 2017 and a Certified
11 General Appraiser 2022. I deny the remainder of the allegations in paragraph 10.

12 11. I deny the allegations in paragraph 11.

13 12. I admit that I received my Certified General Appraiser's license in Washington in
14 2022. I deny the remainder of the allegations in paragraph 12.

15 13. I deny the allegations in paragraph 13.

16 14. I deny that the allegations in paragraph 14 are accurate.

17 15. I deny that the allegations in paragraph 15 are accurate.

18 16. I deny the allegations in paragraph 16.

19 17. I deny the allegations in paragraph 17.

20 18. I deny the allegations in paragraph 18.

21 19. I deny the allegations in paragraph 19.

22 20. I deny the allegations in paragraph 20.

21. I believe there was likely a probable cause affidavit and, if so, that the affidavit speaks for itself. I deny all other allegations in paragraph 21.

22. I deny the allegations in paragraph 22.

III. JURIDICITION AND VENUE

23. Denied as to Defendant Jimenez.

24. Admit as to Defendant Jimenez.

IV. FACTS

25 – 29. I am no longer involved with taxation matters regarding Plaintiffs and I defer to the answers of King County. To the extent that any allegations in these paragraphs are directed at me, they are denied.

4 – 6. I am no longer involved with taxation matters regarding Plaintiffs and I defer to the answers of King County. To the extent that any allegations in these paragraphs are directed at me, they are denied.

7. I deny the allegations in paragraph 7.

8. I admit I sent an email to Plaintiffs in August 2021 and that the email speaks for itself. All other allegations in paragraph 8 are denied.

9. I am no longer involved with taxation matters regarding Plaintiffs and I defer to the answers of King County. To the extent that any allegations in paragraph 9 are directed at me, they are denied.

10 – 15. I am no longer involved with taxation matters regarding Plaintiffs and I defer to the answers of King County. To the extent that any allegations in these paragraphs are directed at me, they are denied.

16. I deny the allegations in paragraph 16.

1 17. I am no longer involved with taxation matters regarding Plaintiffs and I defer to
2 the answers of King County. To the extent that any allegations in paragraph 17 are directed at
3 me, they are denied.

4 18. I admit the allegations in paragraph 18.

5 19. I deny the allegations in paragraph 19.

6 20. I deny the allegations in paragraph 20.

7 21. I deny the allegations in paragraph 21.

8 22. I deny the allegations in paragraph 22.

9 23. I deny the allegations in paragraph 23.

10 24. I deny the allegations in paragraph 24.

11 25. I deny the allegations in paragraph 25.

12 26. I deny the allegations in paragraph 26.

13 27. I deny the allegations in paragraph 27.

14 28. I deny the allegations in paragraph 28.

15 29. The allegations in paragraph 29 are not directed at me. To the extent that they are
16 directed at me, I deny them.

17 30. The allegations in paragraph 30 are not directed at me. To the extent that they are
18 directed at me, I deny them.

19 31. The allegations in paragraph 31 are not directed at me. To the extent that they are
20 directed at me, I deny them.

21 32. I deny the allegations in paragraph 32.

22 33. I deny the allegations in paragraph 33.

23 34. I deny the allegations in paragraph 34.

1 35. I am no longer involved with taxation matters regarding Plaintiffs and I defer to
2 the answers of King County. To the extent that any allegations in paragraph 35 are directed at
3 me, they are denied.

4 36. I am no longer involved with taxation matters regarding Plaintiffs and I defer to
5 the answers of King County. To the extent that any allegations in paragraph 36 are directed at
6 me, they are denied.

7 37. I am no longer involved with taxation matters regarding Plaintiffs and I defer to
8 the answers of King County. To the extent that any allegations in paragraph 37 are directed at
9 me, they are denied.

10 38. I deny the allegations paragraph 38.

11 39. I deny the allegations paragraph 39.

12 40. I deny the allegations paragraph 40.

13 41. I am no longer involved with taxation matters regarding Plaintiffs and I defer to
14 the answers of King County. To the extent that any allegations in paragraph 41 are directed at
15 me, they are denied.

16 42. I am no longer involved with taxation matters regarding Plaintiffs and I defer to
17 the answers of King County. To the extent that any allegations in paragraph 42 is directed at me,
18 they are denied.

19 43. I deny the allegations paragraph 43.

20 44. I admit that the bolded section of paragraph 44 accurately sets forth a sentence
21 that I wrote in a filing in November of 2022 and that the sentence is factually accurate. All other
22 allegations in paragraph 44 that are directed at me are denied.

23 45. I deny the allegations paragraph 45.

1 46. I deny the allegations paragraph 46.

2 47. I deny the allegations paragraph 47.

3 48. I deny the allegations paragraph 48.

4 49. I deny the allegations paragraph 49.

5 50. I deny the allegations paragraph 50.

6 51. I deny the allegations paragraph 51.

7 52. I deny the allegations paragraph 52.

8 53. I deny the allegations paragraph 53.

9 54. I deny the allegations paragraph 54.

10 55. I deny the allegations paragraph 55.

11 56. I deny the allegations paragraph 56.

12 57. I deny the allegations paragraph 57.

13 58. I deny the allegations paragraph 58.

14 59. I deny the allegations paragraph 59.

15 60. I deny the allegations paragraph 60.

16 61. I deny the allegations paragraph 61.

17 62. I deny the allegations paragraph 62.

18 63. I deny all allegations directed at me in paragraph 63.

19 64 – 67. I am no longer involved with taxation matters regarding Plaintiffs and I defer to
20 the answers of King County. To the extent that any allegations in paragraph 64 – 67 are directed
21 at me, they are denied.

22 68. I deny all allegations directed at me in paragraph 68.

23 69. I deny all allegations directed at me in paragraph 69.

1 70 – 72. I am no longer involved with taxation matters regarding Plaintiffs and I
2 defer to the answers of King County. To the extent that any allegations in paragraph 70 – 72 are
3 directed at me, they are denied.

4 73. I deny all allegations in paragraph 73.

5 74. I deny all allegations in paragraph 74.

6 75. I deny all allegations in paragraph 75.

7 76 – 81. I am no longer involved with taxation matters regarding Plaintiffs and I
8 defer to the answers of King County. To the extent that any allegations in paragraph 76 – 81 are
9 directed at me, they are denied.

10 82. I deny all allegations in paragraph 82.

11 83. I deny all allegations in paragraph 83.

12 84 – 85. I am no longer involved with taxation matters regarding Plaintiffs and I
13 defer to the answers of King County. To the extent that any allegations in paragraph 84 – 85 are
14 directed at me, they are denied.

15 86. I deny all allegations in paragraph 86.

16 87. I admit I had a conversation with a Plaintiffs' representative in late 2021. All
17 other allegations directed at me in paragraph 87 are denied.

18 88. I deny all allegations in paragraph 88.

19 89. I deny all allegations in paragraph 89.

20 90. I admit only that I was involved in some of Plaintiffs' property tax appeals. I
21 deny all other allegations directed at me in paragraph 90.

22 91 – 101. I deny all allegations directed at me in paragraphs 91 – 101.

23 102. The allegations in paragraph 102 are not directed at me. Therefore, denied.

1 103. I deny all allegations directed at me in paragraph 103.

2 104. Admit.

3 105. Admit.

4 106. Admit.

5 107. I admit only that the contact information and Odin logo are accurate, and that
6 Odin was active in Colorado for a short time while I worked at the Assessor's Office. All other
7 allegations in paragraph 107 are denied.

8 108. I admit only that the Facebook page cited speaks for itself. All other allegations
9 in paragraph 108 are denied.

10 109. I admit only that I marketed Odin for work in Colorado. All other allegations in
11 paragraph 109 are denied.

12 110. I admit only that the Facebook post cited is accurate and speaks for itself. All
13 other allegations in paragraph 110 are denied.

14 111. I admit only that the LinkedIn pages cited are accurate and speak for themselves.
15 All other allegations in paragraph 111 are denied.

16 112. I deny all allegations in paragraph 112.

17 113. I admit only that at one point that I had two LinkedIn profiles. All other
18 allegations in paragraph 113 are denied.

19 114. I admit only that for a short period of time that I did business in Colorado through
20 Odin. All other allegations in paragraph 114 are denied.

21 115. I admit only that I have lawfully earned overtime pay while at King County. All
22 other allegations directed at me in paragraph 115 are denied.

23 116. I deny all allegations in paragraph 116.

1 117. I deny all allegations in paragraph 117.

2 118. The King County Code speaks for itself.

3 119. I deny all allegations in paragraph 119.

4 120. I deny all allegations in paragraph 120.

5 121 – 124. I deny all allegations in paragraphs 120 – 124.

6 125. I deny all allegations directed at me in paragraph 125.

7 V. FIRST CAUSE OF ACTION: DECLARATORY JUDGMENT

8 126. All of my previous answers are reasserted here.

9 127. Denied.

10 128. Denied.

11 129. Denied.

12 130. Denied.

13 VI. SECOND CAUSE OF ACTION: MANIFEST ERROR REFUND UNDER RCW 84.69

14 131. All of my previous answers are reasserted here.

15 132. Denied.

16 133. Denied.

17 134. Denied.

18 135. Denied.

19 VII. THIRD CAUSE OF ACTION: VIOLATION OF 42 § 1983, FOURTEENTH
20 AMENDMENT (DUE PROCESS CLAUSE)

21 136. All of my previous answers are reasserted here.

22 137. Denied.

23 138. I admit only that the Fourteenth Amendment speaks for itself. Otherwise, denied.

1 139. I lack the knowledge necessary to answer this legal conclusion. Therefore,
2 denied.

3 140. Denied.

4 141 – 149. All allegations directed at me in paragraphs 141 – 149 are denied.

5 VIII. FOURTH CAUSE OF ACTION: VIOLATION OF 42 USC § 1983, FOURTEENTH
6 AMENDMENT (EQUAL PROTECTION CLAUSE)

7 150. All of my previous answers are reasserted here.

8 151. I admit only that the Fourteenth Amendment speaks for itself. Otherwise, denied.

9 152. I lack the knowledge necessary to answer this legal conclusion. Therefore,
10 denied.

11 153 – 162. All allegations directed at me in paragraphs 153 – 162 are denied.

12 IX. FIFTH CAUSE OF ACTION: CIVIL EXTORTION

13 163. All of my previous answers are reasserted here.

14 164 – 169. All allegations in paragraphs 164 – 169 are denied.

15 X. PRAYER FOR RELIEF

16 1-11. I deny that Plaintiffs are entitled to any relief.

17 AFFIRMATIVE DEFENSES

- 18 1. Plaintiffs Complaint should be dismissed because it violates FRCP 8(2).
19 2. Plaintiffs have failed to state a claim upon which relief may be granted.
20 3. Plaintiffs' claims against Defendant Jimenez are barred by qualified immunity.
21 4. Plaintiffs failed to comply with the requirements of RCW 84.69 before bringing
22 this action.
23 5. Plaintiffs failed to exhaust their administrative processes and remedies.
6. Plaintiffs failed to exhaust their judicial processes and remedies.

7. Defendant Jimenez has not been served with the summons and complaint.

8. The Court lacks personal jurisdiction over Defendant Jimenez.

9. Some of Plaintiffs' claims are barred by the statute of limitations.

10. Plaintiffs failed to file a claim for damages as required by RCW 4.96.020.

11. Plaintiffs' claim for injunctive relief fails on its merits and because they have or had adequate remedies at law.

12. Plaintiffs' claims are barred by collateral estoppel.

13. Plaintiffs' claims are barred by judicial estoppel.

14. Defendant Jimenez was not the proximate cause of Plaintiffs' claimed damages.

15. There were superseding and intervening causes to Defendant Jimenez's actions.

16. Plaintiffs have failed to name an indispensable party.

17. Plaintiffs lack standing to seek damages under RCW 84.09.040.

18. This lawsuit is premised on the allegations that Defendant Jimenez tried to bribe and extort them and the like. Plaintiffs know that these allegations are false. Defendant Jimenez is entitled to attorney's fees and costs under 42 USC § 1988.

Having answered Plaintiffs' Complaint, Defendant Jimenez asks that the Complaint be dismissed with prejudice.

DATED this 29th day of April, 2024

By: Kristofer Bundy

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DEFENDANT JIMENEZ'S ANSWER
TO PLAINTIFFS' COMPLAINT - 11

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STATEMENT OF FILING

On April 29, 2024, I e-filed this document via ECF which will provide service to all parties of record.

/s Kristofer J. Bundy
KRISTOFER J. BUNDY, WSBA #19840
Special Deputy Prosecuting Attorney
Attorney for Defendant Ryan Jimenez